

Claims 11-14, 16 and 19 were rejected under 35 U.S.C. 102(b) as being anticipated by Sullivan. Reconsideration of this rejection of the claims is requested.

Sullivan teaches the use of a support member 10 with a flat surface 12 to which a fragile flat article 14 is secured. Sullivan teaches a rectangular sheet 40 with flaps that are defined by a pair of incisions 44 extending inwardly from the edge wall of the rectangular sheet. A corner incision 46 is made in the sheet and scored fold lines 47 are positioned to formably allow the formation of a corner side wall 48. Sullivan also has two pairs of flaps 16 are folded over the fragile flat article 14, and straps 18 are used to securely fix the article to the surface face of the support member 10. Sullivan also teaches that corner side walls 19 extend from the surface face 12 of the support member 10 in the same direction as the flaps 16. Figure 1 and Figure 2. Therefore, Sullivan teaches the use of two pairs of flaps and two straps. See Figure 1 and Figure 2.

The invention to which Claim 11 is directed includes a base member and a member engagable, such as a strap. A strap may be used to secure an article such as a radiator to the base member. The base member includes perforations and cuts that permit portions of the tray to be opened and folded to form arms. The arms may be folded in either direction such that the radiator can be secured to either side of the base member. In contrast to Claim 11, Sullivan does not teach or suggest an invention with the flexibility of the present invention having only one pair of arms that can be folded in either direction of the base member.

Claim 12 is dependent on Claim 11 and is directed to an invention that further includes a second pair of opposed sides on said base member, the second pair of opposed sides being orthogonal to said first pair of opposed sides, with a portion of each opposed side of the second pair being foldable out of the plane of the base member and forming legs to the base member when so folded. In contrast to the Claim 12 invention, Sullivan does not teach or suggest an invention with the flexibility of the present invention having legs that can be folded either towards the pair of arms or away from the pair of arms. Figure 6 and 10.

Claim 13 is dependent on Claim 12 and is directed to an invention having a base member made of a rectangular rigid planar sheet and cut to form the arms, and in which the legs are defined at least in part by fold lines on said planar sheet. In contrast to the Claim 13 invention, Sullivan does not teach or suggest an invention with the flexibility of the present invention that is a rectangular planar sheet formed and cut to provide legs that can be folded either towards the pair of arms or away from the pair of arms. Figure 6 and 10.

Claim 14 is dependent on Claim 13 and directed to an invention having a base member having a center line and the planar sheet includes parallel lateral sides and parallel ends, and the legs are defined by a first fold line inboard from and parallel to an adjacent side of the first pair of sides. The fold lines are such that the legs can be folded in the direction of the arms securing an article or away from the arms securing an article. In contrast to the Claim 14 invention, Sullivan does not teach or suggest an invention with the flexibility of the present invention having legs formed by a first and a second fold line inboard from and parallel to an adjacent side of said first pair of sides such that the legs can be folded either towards the pair of arms or away from the pair of arms. Figure 6 and 10.

Claim 16 is dependent on Claim 14 and is directed to an invention having the legs further defined by side leg portions and end leg portions, with a cut forming a lapping portion to one side and end leg portions at each corner of the rectangular planar sheet, the lapping portion folded over and overlying an adjacent leg portion when the legs are folded. The legs can be folded either towards the pair of arms or away from the pair of arms. In contrast to the Claim 16 invention, Sullivan does not teach or suggest an invention with the flexibility of the present invention having legs that can fold either direction with side leg portions and end leg portions lapping such that the lapping portion of folded over and overlying an adjacent leg portion when said legs are folded.

The invention to which Claim 19 is directed is the invention of Claim 14 wherein said legs are folded toward said arms, and said legs when folded spanning a distance defined between

a container side overlying a surface to an article stabilized on said base member and an opposed container side keeping in mind that the legs are flexible and can be folded in either direction.

In contrast to the invention of Claim 19, Sullivan does not teach or suggest an invention wherein said legs are folded toward said arms, and said legs when folded spanning a distance defined between a container side overlying a surface to an article stabilized on said base member and an opposed container side keeping in mind that the legs are flexible and can be folded in either direction.

Contrary to the opinion of the examiner, the Sullivan does not anticipate Claims 11-14, 16 and 19 and these Claims should not be rejected.

Claims 1-10 and 24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Sullivan, in view of Wood, Cadillac, and Official Notice. Reconsideration of rejection of the claims is requested.

The Examiner's rejection of the intended use phrase in the preambles "for a vehicular radiator" being given no weight in accordance with Kropa v. Robie, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951) is respectfully traversed for the following reason.

According to § 2111.02 of the MPEP, "if the claim preamble, when read in the context of the entire claim, recites limitations of the claim, or, if the claim preamble is 'necessary to give life, meaning, and vitality' to the claim, then the claim preamble should be construed as if in the balance of the claim." Pitney Bowes, Inc. v. Hewlett-Packard Co., 182 F.3d 1298, 1305, 51 USPQ.2d 1161, 1165-66 (Fed. Cir. 1999). It is well known that vehicular radiators have a plurality of fins made from thin material having a high thermal conductivity. The fins of a radiator are very fragile and can be damaged by a slight touch. The non-fragile areas of a radiator include the mounting points, which are essentially the corners, the inlet port, the exit port, and the filler neck. No previous packaging apparatus has satisfied the need for packaging and shipping a wide variety of radiators with a minimum of damage and packaging costs. Page 4, line 24-Page 5, line 2. Therefore, the phrase "for a vehicular radiator" should be given weight because it informs the reader of the high level of protection the present invention provides a radiator with a minimal cost.

Sullivan teaches the use of a support member 10 with a flat surface 12 to which a fragile flat article 14 is secured. Two pairs of flaps 16 are folded over the fragile flat article 14, and straps 18 are used to securely fix the article to the surface face of the support member 10. Vol. 2, lines 42-52, Figure 1, and Figure 2. Therefore, Sullivan teaches the use of two pair of flaps and two straps. See Figure 1 and Figure 2.

Further, Sullivan teaches the use inserting the support member 10 with the fragile flat article 14 secured to the flat surface 12. Col. 1, lines 38-68. Therefore, utilizing a shipping container with six walls, Sullivan results in the fragile flat article 14 being against the support

member 10 that is directly against an inner surface wall of the container 20. Further, the fragile flat article 14 is removed away from only five of six walls of the container. Along the sixth wall of the container 20, the fragile flat article 14 is only protected by two thicknesses of material (i.e. the support member and the wall of the carton). Vol. 2, lines 42-68, Figure 1, and Figure 2. The Sullivan device does not sufficiently protect the fragile flat article 14 from any damage or force of an object upon the sixth wall.

Wood teaches the use of receiving posts for packing an instrument. Col. 2, lines 42-72. Each of the receiving posts has a sector-shaped cutout having an angle slightly less than ninety degrees Col. 2 lines 63-69. In all instances, each of the sector-shaped cutouts is of such size and configuration as to snugly fit against the instrument when the instrument is placed therein. Col. 3, lines 5-11. The four receiving posts are sized and configured such that the receiving posts with the instrument therein fit snugly against adjacent faces forming the corners of the box. Col. 3, lines 12-15. Therefore, the Wood patent discloses a package assembly that must be uniquely designed and manufactured for each of the different sized instrument to be packed.

Cadillac teaches a "vehicle cab box" including a platform 10 with build-up supports or blocks 11 and 12 mounted thereon. Col. 2, lines 48-66. The build-up supports or blocks 11 and 12 are secure mounts on the platform 10 to prevent the weight of the cab and anything packed therein from damaging the lower portion of the cab. Id. The build-up supports or blocks 11 and 12 are resilient and are of sufficient strength to support a cab subassembly of a vehicle. Id. The build-up supports or blocks 11 and 12 are permanently mounted on the platform 10 and cannot be adjusted. Id.

The Examiner cites to Official Notice that spacers are old, obvious, and well known structures in the packaging arts and that it would have been obvious in view of Wood, Cadillac, or Official Notice to one of ordinary skill in the art at the time the invention was made to provide stand-off elements in a containment system for the purpose of better retaining a radiator. The Examiner suggests the combination of a generally planar tray with a pair of legs and a pair of

arms, a strapping, a stand-off element, and a container for packaging a radiator is obvious and old.

The invention to which Claim 1 is directed is a packaging system utilizing a generally planar tray that is cut and folded to form a pair of arms and a pair of legs. Page 6, lines 15-26; Claim 1, lines 1-13. An article such as a radiator is wrapped by the pair of arms and is strapped to the generally planar tray by use of a strap. Id. A stand-off member is mounted on the radiator. Id. A container having four walls, a top and a bottom receives the article such as the article with the stand-off member strapped to the generally planar tray. Id. With the four walls, the top and the bottom of the container in place, the article is removed away from the four walls due to the generally planar tray. Figure 8. The article is further removed from the top and the bottom the pair of legs and the stand-off member, respectively. Id.

In contrast to Claim 1, Sullivan does not teach or suggest an invention wherein an article to be packed is secured to a generally planar member and is removed from each of six sides of a container. In further contrast to Claim 1, Wood, Cadillac, or Official Notice do not teach or suggest an invention wherein an article to be packed is removed from the top by use of a stand-off member.

Claim 2 is directed to an invention of a packaging system for a vehicular radiator, wherein the radiator is generally rectangular in outline with a generally rectangular cross-section. The package system having a generally rectangular planar tray member, at least one strap, a container, and at least one stand-off member. The tray member having a central area defining a plane upon which a radiator is received, and having two opposed sides, a portion of each opposed side being foldable out of the plane of said tray member and forming arms to said tray member which are foldable toward each other to embrace a radiator placed upon said tray member. The at least one strap is engagable around said tray member and holding the arms folded upon the radiator placed upon said tray member. The tray member further including opposed ends, with a portion of each opposed end being foldable out of the plane of said tray member and forming legs to said tray when so folded. The container within which said tray member is received, said container being sized to snugly fit around said tray member with said

opposed sides and ends so folded, and having an interior space with a depth defined by a distance between a radiator surface and a container side overlying said surface. The at least one stand-off element mountable on one of said radiator and said tray member, said stand-off element having a height generally spanning said interior space depth when so mounted. The container has four walls, a top and a bottom receives the article such as the article with the stand-off member strapped to the generally planar tray. Id. With the four walls, the top and the bottom of the container in place, the tray member, the legs, and the at least one stand-off member, and the strap are configured as to remove the article being packaged away from any of the walls of the container. Figure 6 and 10.

In contrast to the Claim 2, Sullivan does not teach or suggest an invention wherein an article to be packed is secured to a generally rectangular planar tray member and is removed from each of six sides of a container. In further contrast to Claim 1, Wood, Cadillac, or Official Notice do not teach or suggest an invention wherein an article to be packed is removed from the top by use of a stand-off member.

Claim 3 is dependent on Claim 2 and is directed to an invention wherein the tray member is made of a rectangular planar sheet of Kraft paper and is die-cut to form said arms, and said legs are defined by fold lines on said planar sheet. With the four walls, the top and the bottom of the container in place, the tray member, the legs, and the at least one stand-off member, and the strap are configured as to remove the article being packaged away from any of the walls of the container. Figure 6 and 10.

In contrast to the Claim 3, Sullivan does not teach or suggest an invention wherein an article to be packed is secured to a generally rectangular planar tray member and is removed from each of six sides of a container. In further contrast to Claim 1, Wood, Cadillac, or Official Notice do not teach or suggest an invention wherein an article to be packed is removed from the top by use of a stand-off member.

Claim 4 is dependent on Claim 3 and is directed to an invention wherein said tray member has a center line and said planar sheet has parallel lateral sides and parallel ends, and said legs are defined by a first fold line inboard from and parallel to an adjacent lateral side, and

a second fold line inboard from and parallel to an adjacent end. With the four walls, the top and the bottom of the container in place, the tray member, the legs, and the at least one stand-off member, and the strap are configured as to remove the article being packaged away from any of the walls of the container. Figure 6 and 10.

In contrast to the Claim 4, Sullivan does not teach or suggest an invention wherein an article to be packed is secured to a generally rectangular planar tray member and is removed from each of six sides of a container. In further contrast to Claim 1, Wood, Cadillac, or Official Notice do not teach or suggest an invention wherein the article to be packed is removed from the top by use of a stand-off member.

Claim 5 is dependent on Claim 4 and is directed to an invention wherein the legs are further defined by a diagonal fold line extending diagonally inboard from each corner of said rectangular planar sheet, said diagonal fold line forming a gusset when said legs are folded. With the four walls, the top and the bottom of the container in place, the tray member, the legs, and the at least one stand-off member, and the strap are configured as to remove the article being packaged away from any of the walls of the container. Figure 6 and 10.

In contrast to the Claim 5, Sullivan does not teach or suggest an invention wherein an article to be packed is secured to a generally rectangular planar tray member and is removed from each of six sides of a container. In further contrast to Claim 1, Wood, Cadillac, or Official Notice do not teach or suggest an invention wherein the article to be packed is removed from the top by use of a stand-off member.

Claim 6 is dependent on Claim 4 and is directed to an invention wherein said legs are further defined by side leg portions and end leg portions, with a cut forming a lapping portion to one of said side and end leg portions at each corner of said rectangular planar sheet, said lapping portion folded over and overlying an adjacent leg portion when said legs are folded. With the four walls, the top and the bottom of the container in place, the tray member, the legs, and the at least one stand-off member, and the strap are configured as to remove the article being packaged away from any of the walls of the container. Figure 6 and 10.

In contrast to the Claim 6, Sullivan does not teach or suggest an invention wherein an article to be packed is secured to a generally rectangular planar tray member and is removed from each of six sides of a container. In further contrast to Claim 1, Wood, Cadillac, or Official

Notice do not teach or suggest an invention wherein the article to be packed is removed from the top by use of a stand-off member.

Claim 7 is dependent on Claim 6 and is directed to an invention further including pre-cut locking tabs formed in one of said side and end leg portions at each corner of said rectangular planar sheet, and pre-cut tab receptacles formed in the other of said side and end leg portions at each corner of said rectangular planar sheet, said pre-cut tabs and tab receptacles being located so that the tabs can be received within said receptacles when said legs are folded. With the four walls, the top and the bottom of the container in place, the tray member, the legs, and the at least one stand-off member, and the strap are configured as to remove the article being packaged away from any of the walls of the container. Figure 6 and 10.

In contrast to the Claim 7, Sullivan does not teach or suggest an invention wherein an article to be packed is secured to a generally rectangular planar tray member and is removed from each of six sides of a container. In further contrast to Claim 1, Wood, Cadillac, or Official Notice do not teach or suggest an invention wherein the article to be packed is removed from the top by use of a stand-off member.

Claim 8 is dependent on Claim 4 and is directed to an invention wherein said legs are folded away from the radiator to thereby form said tray member into a platform upon which the radiator is supported in said container. With the four walls, the top and the bottom of the container in place, the tray member, the legs, and the at least one stand-off member, and the strap are configured as to remove the article being packaged away from any of the walls of the container. Figure 6 and 10.

In contrast to the Claim 8, Sullivan does not teach or suggest an invention wherein an article to be packed is secured to a generally rectangular planar tray member and is removed from each of six sides of a container. In further contrast to Claim 1, Wood, Cadillac, or Official Notice do not teach or suggest an invention wherein the article to be packed is removed from the top by use of a stand-off member.

Claim 9 is dependent on Claim 4 and is directed to an invention wherein said legs are folded toward the radiator, and said legs when folded span a distance between said container side overlying said radiator surface and an opposed container side. With the four walls, the top and the bottom of the container in place, the tray member, the legs, and the at least one stand-off

member, and the strap are configured as to remove the article being packaged away from any of the walls of the container. Figure 6 and 10.

In contrast to the Claim 9, Sullivan does not teach or suggest an invention wherein an article to be packed is secured to a generally rectangular planar tray member and is removed from each of six sides of a container. In further contrast to Claim 1, Wood, Cadillac, or Official Notice do not teach or suggest an invention wherein the article to be packed is removed from the top by use of a stand-off member.

Claim 10 is dependent on Claim 3 and is directed to an invention wherein each said arm is defined by a pair of spaced cuts extending inboard from a respective side with a plurality of fold lines extending between said spaced cuts. With the four walls, the top and the bottom of the container in place, the tray member, the legs, and the at least one stand-off member, and the strap are configured as to remove the article being packaged away from any of the walls of the container. Figure 6 and 10.

In contrast to the Claim 10, Sullivan does not teach or suggest an invention wherein an article to be packed is secured to a generally rectangular planar tray member and is removed from each of six sides of a container. In further contrast to Claim 1, Wood, Cadillac, or Official Notice do not teach or suggest an invention wherein the article to be packed is removed from the top by use of a stand-off member.

Claim 24 is dependent on Claim 23 and is directed to an invention that is a packaging system, having a base member, a member engagable, a container, and at least one stand-off member. The base member is initially in the form of a generally rectangular sheet having a central part defining a plane and a first pair of opposed sides, with a portion of each opposed side of said first pair of sides being foldable out of the plane of said base member and forming arms to said base member. The arms are connected to the central part. A second pair of opposed ends on the base member being orthogonal to said first pair of opposed sides, with a portion of each opposed end of said second pair being foldable out of the plane of said base member and forming legs to said base member when so folded. The sheet being die-cut to form said arms and the legs are defined by fold lines on said sheet. The central part has a center line and parallel lateral sides and parallel ends, and said legs are defined by a first fold line inboard from and parallel to an adjacent lateral side, and a second fold line inboard from and parallel to an adjacent end. Each

arm is defined by a pair of spaced cuts extending inboard from a respective lateral side with a plurality of fold lines extending between said spaced cuts. The member engagable with said arms when said arms are folded toward each other and over said central part to hold said arms in a folded condition. The container within which said base member is received, said container being sized to fit around said base member with said opposed arms and legs so folded. An article to be packaged when placed upon said central part with said arms in said folded condition and said member engaged with said arms is stabilized relative to said base member and is firmly locatable against movement within said container. The at least one stand-off element is mountable on one of said article and said base member. The stand-off element spanning a space defined by a distance between an article surface and a container interior sidewall overlying said surface. With the four walls, the top and the bottom of the container in place, the tray member, the legs, and the at least one stand-off member, and the strap are configured as to remove the article being packaged away from any of the walls of the container. Figure 6 and 10.

In contrast to the Claim 24, Sullivan does not teach or suggest an invention wherein an article to be packed is secured to a generally rectangular planar tray member and is removed from each of six sides of a container. In further contrast to Claim 1, Wood, Cadillac, or Official Notice do not teach or suggest an invention wherein the article to be packed is removed from the top by use of a stand-off member.

Contrary to the opinion of the examiner, the proposed combination Sullivan, Wood, Cadillac, or Official Notice does not anticipate Claims 1-10 and 24 and these Claims should not be rejected.

Claims 15, 17, 18, 20-23 and 25-31 were rejected under 35 U.S.C. 103(a) as being unpatentable over Sullivan. Reconsideration of this rejection of the claims is requested.

Sullivan teaches the use of a support member 10 with a flat surface 12 to which a fragile flat article 14 is secured. Sullivan teaches a rectangular sheet 40 with flaps that are defined by a pair of incisions 44 extending inwardly from the edge wall of the rectangular sheet. A corner incision 46 is made in the sheet and scored fold lines 47 are positioned to formably allow the formation of a corner side wall 48. Sullivan also has two pairs of flaps 16 are folded over the fragile flat article 14, and straps 18 are used to securely fix the article to the surface face of the support member 10. Sullivan also teaches that corner side walls 19 extend from the surface face 12 of the support member 10 in the same direction as the flaps 16. Figure 1, and Figure 2. Therefore, Sullivan teaches the use of two pair of flaps and two straps. See Figure 1 and Figure 2.

Claim 15 is dependent on Claim 14 and is directed to an invention that is a packaging component including a base member, and a member engagable. The base member having a central part defining a plane and a first pair of opposed sides, with a portion of each opposed side of said first pair of sides being foldable out of the plane of said base member and forming arms to said base, said arms being connected to said central part. The member engageable with said arms when said arms are folded toward each other and said central part to hold said arms in a folded condition. An article to be packaged when placed upon said central part with said arms in said folded condition and said member engaged with said arms is stabilized relative to said base member. A second pair of opposed sides on said base member is also included. The second pair of opposed sides being orthogonal to said first pair of opposed sides, with a portion of each opposed side of said second pair being foldable out of the plane of said base member and forming legs to said base member when so folded. The base member is made of a rectangular rigid planar sheet and is cut to form said arms, and said legs are defined at least in part by fold lines on said planar sheet. The base member has a center line and said planar sheet has parallel lateral sides and parallel ends, and said legs are defined by a first fold line inboard from and parallel to an adjacent side of said first pair of sides, and a second fold line inboard from and parallel to an adjacent side of said second pair of sides. The legs are further defined by a

diagonal fold line extending diagonally inboard from each corner of said rectangular planar sheet, said diagonal fold line forming a gusset when said legs are folded. The arms and legs may be folded in either direction such that the radiator can be secured to either side. Figure 6 and 10.

In contrast to Claim 15, Sullivan does not teach or suggest an invention with the flexibility of the present invention having legs formed by a first and a second fold line inboard from and parallel to an adjacent side of said first pair of sides such that the legs can be folded either towards the pair of arms or away from the pair of arms.

The invention to which Claim 17 is directed is the invention of Claims 16 and 14 wherein said legs are further defined by side leg portions and end leg portions, with a cut forming a lapping portion to one of said side and end leg portions at each corner of said rectangular planar sheet, said lapping portion folded over and overlying an adjacent leg portion when said legs are folded. The packaging component further includes pre-cut locking tabs formed in one of said side and end leg portions at each corner of said rectangular planar sheet, and pre-cut tab receptacles formed in the other of said side and end leg portions at each corner of said rectangular planar sheet, said pre-cut tabs and tab receptacles being located so that the tabs can be received within said receptacles when said legs are folded in either direction. Figures 6 and 10.

In contrast to Claim 17, Sullivan does not teach or suggest an invention with the flexibility of the present invention having legs formed by a first and a second fold line inboard from and parallel to an adjacent side of said first pair of sides such that the legs can be folded either towards the pair of arms or away from the pair of arms. Figure 6 and 10. Nor does Sullivan teach or suggest an invention wherein said legs are further defined by side leg portions and end leg portions, with a cut forming a lapping portion to one of said side and end leg portions at each corner of said rectangular planar sheet, said lapping portion folded over and overlying an adjacent leg portion when said legs are folded. The packaging component further includes pre-cut locking tabs formed in one of said side and end leg portions at each corner of said rectangular planar sheet, and pre-cut tab receptacles formed in the other of said side and end leg portions at each corner of said rectangular planar sheet, said pre-cut tabs and tab receptacles being located so that the tabs can be received within said receptacles when said legs are folded in either direction.

The invention to which Claim 18 is dependent on Claim 14 and is directed to an invention wherein said legs are folded away from said arms to thereby form said base member into a raised platform upon which an article is supported wherein the legs and arms are foldable in either direction. Figures 6 and 10.

In contrast to Claim 18, Sullivan does not teach or suggest an invention wherein said legs are folded away from said arms to thereby form said base member into a raised platform upon which an article is supported wherein the legs and arms are foldable.

The invention to which Claim 20 is dependent on Claim 13 and is directed to an invention that is a packaging component including a base member, and a member engagable. The base member having a central part defining a plane and a first pair of opposed sides, with a portion of each opposed side of said first pair of sides being foldable out of the plane of said base member and forming arms to said base, said arms being connected to said central part. The member engagable with said arms when said arms are folded toward each other and said central part to hold said arms in a folded condition. An article to be packaged when placed upon said central part with said arms in said folded condition and said member engaged with said arms is stabilized relative to said base member. A second pair of opposed sides on said base member is also included. The second pair of opposed sides being orthogonal to said first pair of opposed sides, with a portion of each opposed side of said second pair being foldable out of the plane of said base member and forming legs to said base member when so folded. The base member is made of a rectangular rigid planar sheet and is cut to form said arms, and said legs are defined at least in part by fold lines on said planar sheet. Each arm is defined by a pair of spaced cuts extending inboard from a respective side with a plurality of fold lines extending between said spaced cuts and is foldable in either direction. Figures 6 and 10.

In contrast to Claim 20, Sullivan does not teach or suggest an invention with the flexibility of the present invention having each arm being defined by a pair of spaced cuts extending inboard from a respective side with a plurality of fold lines extending between said spaced cuts and is foldable in either direction.

The invention to which Claim 21 is dependent on Claim 20 wherein said planar sheet is made of rigid Kraft paper and the legs and arms are foldable in either direction. Figures 6 and 10.

In contrast to Claim 21, Sullivan does not teach or suggest an invention with the flexibility of the present invention wherein said planar sheet is made of rigid Kraft paper and the legs and arms are foldable in either direction.

The invention to which Claim 22 is dependent on Claim 21 wherein said member engagable with said arms is at least one strap encircling said base member and said arms with said arms embracing an article on said base member on either side of the base member. Figures 6 and 10.

In contrast to Claim 22, Sullivan does not teach or suggest an invention with the flexibility of the present invention wherein said member engagable with said arms is at least one strap encircling said base member and said arms with said arms embracing an article on said base member on either side of the base member.

Claim 23 is directed to an invention of a packaging system including a base member, a member engageable, and a container. The base member initially in the form of a generally rectangular sheet having a central part defining a plane and a first pair of opposed sides, with a portion of each opposed side of said first pair of sides being foldable out of the plane of said base member and forming arms to said base member, said arms being connected to said central part, a second pair of opposed ends on said base member, said second pair of opposed ends being orthogonal to said first pair of opposed sides, with a portion of each opposed end of said second pair being foldable out of the plane of said base member and forming legs to said base member when so folded. The sheet being die-cut to form said arms, and said legs are defined by fold lines on said sheet, said central part having a center line and parallel lateral sides and parallel ends, and said legs are defined by a first fold line inboard from and parallel to an adjacent lateral side, and a second fold line inboard from and parallel to an adjacent end, each said arm is defined by a pair of spaced cuts extending inboard from a respective lateral side with a plurality of fold lines extending between said spaced cuts. The member engagable with said arms when said arms are folded toward each other and over said central part to hold said arms in a folded condition; and the container within which said base member is received, said container being sized to fit around said base member with said opposed arms and legs so folded. Whereby an article to be packaged when placed upon said central part with said arms in said folded condition and said member engaged with said arms is stabilized relative to said base member and is firmly locatable against movement within said container. The arms and legs are flexible in either

direction such that the article can be stabilized on either side of the base member. Figures 6 and 10.

In contrast to Claim 23, Sullivan does not teach or suggest an invention of a packaging system including a base member, a member engagable, and a container. The base member initially in the form of a generally rectangular sheet having a central part defining a plane and a first pair of opposed sides, with a portion of each opposed side of said first pair of sides being foldable out of the plane of said base member and forming arms to said base member, said arms being connected to said central part, a second pair of opposed ends on said base member, said second pair of opposed ends being orthogonal to said first pair of opposed sides, with a portion of each opposed end of said second pair being foldable out of the plane of said base member and forming legs to said base member when so folded. The sheet being die-cut to form said arms, and said legs are defined by fold lines on said sheet, said central part having a center line and parallel lateral sides and parallel ends, and said legs are defined by a first fold line inboard from and parallel to an adjacent lateral side, and a second fold line inboard from and parallel to an adjacent end, each said arm is defined by a pair of spaced cuts extending inboard from a respective lateral side with a plurality of fold lines extending between said spaced cuts. The member engagable with said arms when said arms are folded toward each other and over said central part to hold said arms in a folded condition; and the container within which said base member is received, said container being sized to fit around said base member with said opposed arms and legs so folded. Whereby an article to be packaged when placed upon said central part with said arms in said folded condition and said member engaged with said arms is stabilized relative to said base member and is firmly locatable against movement within said container. The arms and legs are flexible in either direction such that the article can be stabilized on either side of the base member.

The invention to which Claim 25 is dependent on Claim 23 and is directed to an invention wherein said legs are further defined by side leg portions and end leg portions, with a cut forming a lapping portion at each corner of said rectangular planar sheet, said lapping portion folded over and overlying an adjacent leg portion when said legs are folded in either direction. Figures 6 and 10.

In contrast to Claim 25, Sullivan does not teach or suggest an invention wherein said legs are further defined by side leg portions and end leg portions, with a cut forming a lapping portion

at each corner of said rectangular planar sheet, said lapping portion folded over and overlying an adjacent leg portion when said legs are folded in either direction.

The invention to which Claim 26 is dependent on Claim 25 and is directed to an invention further including pre-cut locking tabs formed in one of said side and end leg portions at each corner of said rectangular planar sheet, and pre-cut tab receptacles formed in the other of said side and end leg portions at each corner of said rectangular planar sheet. The pre-cut tabs and tab receptacles being located so that the tabs can be received within said receptacles when said legs are folded in either direction. Figures 6 and 10.

In contrast to Claim 26, Sullivan does not teach or suggest an invention further including pre-cut locking tabs formed in one of said side and end leg portions at each corner of said rectangular planar sheet, and pre-cut tab receptacles formed in the other of said side and end leg portions at each corner of said rectangular planar sheet. The pre-cut tabs and tab receptacles being located so that the tabs can be received within said receptacles when said legs are folded in either direction.

The invention to which Claim 27 is dependent on Claim 23 and is directed to an invention wherein said legs are folded away from said arms to thereby form said base member into a raised platform upon which an article is supported. The arms and legs can be folded in either direction to allow for the article to be placed on either side of the base member. Figures 6 and 10.

In contrast to Claim 27, Sullivan does not teach or suggest an invention wherein said legs are folded away from said arms to thereby form said base member into a raised platform upon which an article is supported. The arms and legs can be folded in either direction to allow for the article to be placed on either side of the base member.

The invention to which Claim 28 is dependent on Claim 23 and is directed to an invention wherein said legs are folded toward said arms, and said legs when folded spanning a distance between a container side overlying a surface to an article stabilized on said base and an opposed container side. The arms and legs can be folded in either direction to allow for the article to be placed on either side of the base member. Figures 6 and 10.

In contrast to Claim 28, Sullivan does not teach or suggest an invention wherein said legs are folded toward said arms, and said legs when folded spanning a distance between a container side overlying a surface to an article stabilized on said base and an opposed container side. The arms and legs can be folded in either direction to allow for the article to be placed on either side of the base member.

The invention to which Claim 29 is dependent on Claim 23 and is directed to an invention wherein said planar sheet is made of rigid Kraft paper. The arms and legs can be folded in either direction to allow for the article to be placed on either side of the base member. Figures 6 and 10.

In contrast to Claim 29, Sullivan does not teach or suggest an invention wherein said planar sheet is made of rigid Kraft paper. The arms and legs can be folded in either direction to allow for the article to be placed on either side of the base member.

The invention to which Claim 30 is dependent on Claim 29 and is directed to an invention wherein said member engagable with said arms is at least one strap encircling said central part and said arms with said arms embracing an article on said central part. The arms and legs can be folded in either direction to allow for the article to be placed on either side of the base member. Figures 6 and 10.

In contrast to Claim 30, Sullivan does not teach or suggest an invention wherein said member engagable with said arms is at least one strap encircling said central part and said arms with said arms embracing an article on said central part. The arms and legs can be folded in either direction to allow for the article to be placed on either side of the base member.

The invention to which Claim 31 is dependent on Claim 30 and is directed to an invention wherein said article is a vehicular radiator. The arms and legs can be folded in either direction to allow for the vehicular radiator to be placed on either side of the base member.

In contrast to Claim 31, Sullivan does not teach or suggest an invention wherein said article is a vehicular radiator. The arms and legs can be folded in either direction to allow for the vehicular radiator to be placed on either side of the base member.

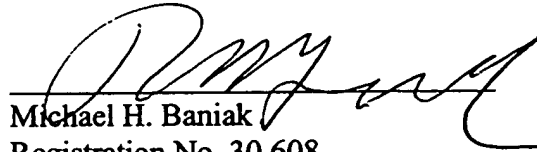
Contrary to the opinion of the examiner, the Sullivan does not anticipate Claims 15, 17, 18, 20-23 and 25-31 and these Claims should not be rejected.

Applicant according has patentably distinguished his PACKAGING COMPONENT AND CONTAINMENT SYSTEM USEFUL FOR PACKAGING RADIATORS from the prior art. A Notice of Allowance is solicited.

Respectfully submitted,

November 21, 2001

BANIAK PINE & GANNON
150 North Wacker Drive, Suite 1200
Chicago, Illinois 60606
(312) 673-0360


Michael H. Baniak
Registration No. 30,608
Attorney for Applicants